

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY SCOTT WALTER,

Defendant.

CR 20-53-BLG-DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation November 17, 2020. (Doc. 57.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnel Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Defendant Anthony Scott Walter’s guilty plea. Walter appeared before Judge Cavan pursuant to Federal Rule of Criminal Procedure 11 and entered a plea of guilty to Count II of the Indictment, which charges possession with intent to distribute controlled

substances, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2. (*See Sealed Doc. 1.*)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 57) IN FULL.

IT IS FURTHER ORDERED that Anthony Scott Walter's motion to change plea (Doc. 47) is GRANTED, and Anthony Scott Walter is adjudged guilty as charged in Count II of the Indictment.

DATED this 2nd day of December, 2020.



Dana L. Christensen, District Judge
United States District Court